

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941-BB
-v-)	
)	RIO CHAMA STREAM SYSTEM
ROMAN ARAGON et al.,)	
)	
Defendants.)	
_____)	

ADMINISTRATIVE ORDER

This Order is entered *sua sponte* by the Court pursuant to Administrative Order Misc. No. 06-95, filed August 28, 2006, the Local Civil Rules of the United States District Court for the District of New Mexico, effective July 1, 2002, as amended through March 5, 2007, the Administrative Order filed January 17, 2007 (Docket No. 8535), and the CM/ECF Administrative Procedures Manual, as revised March 26, 2007 ("APM"). This Order supercedes conflicting provisions of any and all previous orders, policies and procedures adopted by this Court for stream system adjudications.

Over the years during which stream system adjudications proceed, numerous counsel of record and parties *pro se* routinely enter appearances. In some instances, these entries of appearance are no longer relevant, usually because subfile matters directly relating to the parties have been concluded. Counsel and parties, however, remain as active participants on the case caption. Further, as a matter of courtesy, until recently the Court has included in service lists individuals and entities who are not parties, but who had indicated a desire to receive pleadings of general interest.

Notwithstanding the existing provisions for limited service which may be found in existing scheduling and procedural orders, service of general pleadings and other documents to large numbers of recipients can burden the resources of the parties and of the Court. This is particularly true when counsel of record are not registered with the CM/ECF system and must be served with copies of pleadings by regular mail, and when parties *pro se* are neither involved, nor interested, in proceedings not directly affecting their water rights interests. The Court therefore finds that fairness to active parties requires that counsel adhere to the requirements of mandatory electronic filing and service of pleadings, and that service of pleadings be limited to parties *pro se* who affirm their desire to receive general pleadings. Parties *pro se* who do not have an e-mail address for purposes of service, and all water rights claimants generally, will continue to receive pleadings and other papers required to be served concerning individual subfile orders.

IT IS ORDERED, therefore,

1. No later than 15 days from service of this Order, attorneys of record shall ensure that they are properly registered with the Court, pursuant to APM 3. The failure of any attorney to adhere to this requirement shall result in (a) that attorney being stricken from the caption of the case for purposes of service of pleadings, and (b) that attorney being unable to file pleadings in this case.

2. No later than 30 days from service of this Order, parties *pro se* shall indicate their continuing desire to remain on the case caption and receive service of general pleadings, by completing the attached form and sending it to

Special Master Vickie L. Gabin
United States District Court, DNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Parties *pro se* who do not respond in a timely manner shall be stricken from the caption of the case for service of general pleadings, but shall continue to receive pleadings and other papers required to be served concerning individual subfile orders. Parties who have e-mail addresses are encouraged to receive general pleadings by e-mail.

3. Individuals and entities, not parties to the case, who have been receiving “courtesy copies” of pleadings may monitor stream system adjudications by accessing the CM/ECF system for no charge during regular business hours at public computer terminals located at each District Court Clerk’s Office, or by signing up for the PACER system pursuant to APM 4:

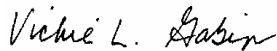
PACER Service Center
P.O. Box 780549
San Antonio, TX 78278
(800) 676-6856 Monday - Friday CST
(210) 301-6440
<http://pacer.psc.uscourts.gov>
pacer@psc.uscourts.gov

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Bruce D. Black", written over a horizontal line.

DISTRICT JUDGE

Recommended for approval:

A handwritten signature in black ink, appearing to read "Vickie L. Gabin", written over a horizontal line.

SPECIAL MASTER

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NOTICE OF INTENT TO RECEIVE SERVICE OF GENERAL PLEADINGS

I, _____,
print name

mailing address

mailing address

e-mail address (if applicable)

am currently a Defendant *pro se* in this case, and wish to continue to receive service of general pleadings. I understand that if I do not return this form to the address below within 30 days of receiving the attached Administrative Order, I will not receive service of general pleadings, but will continue to receive all pleadings required to be served concerning my individual subfile order(s).

signature

Send to:

Special Master Vickie L. Gabin
United States District Court, DNM
P.O. Box 2384
Santa Fe, NM 87504-2384